

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEON PAUL KAVIS, JR.,

Defendant.

CR 20–53–M–DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered her Findings and Recommendation Concerning Plea on March 9, 2021. (Doc. 30.) As neither party objected, they are not entitled to de novo review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommends that the Court accept Leon Paul Kavis, Jr.’s guilty plea after Kavis appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of conspiracy to possess

with intent to distribute methamphetamine, in violation of 21 U.S.C. § 846, and possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i), as set forth in the Indictment.

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 30) IN FULL.

IT IS FURTHER ORDERED that Leon Paul Kavis, Jr.'s motion to change plea (Doc. 23) is GRANTED, and Leon Paul Kavis, Jr. is adjudged guilty as charged in Counts I and III of the Indictment.

DATED this 24th day of March, 2021.



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Dana L. Christensen, District Judge  
United States District Court